



# *COMMONWEALTH of VIRGINIA*

## *DEPARTMENT OF ENVIRONMENTAL QUALITY*

### PIEDMONT REGIONAL OFFICE

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L. Preston Bryant, Jr.  
Secretary of Natural Resources

David K. Paylor  
Director

Gerard Seeley, Jr.  
Regional Director

## **STATE WATER CONTROL BOARD ENFORCEMENT ACTION AMENDMENT TO SPECIAL ORDER BY CONSENT ISSUED TO TOWN OF WARSAW Permit No. VA0026891**

### **SECTION A: Purpose**

This is an Amendment to a Consent Special Order (hereinafter referred to as the Amendment) issued under the authority of Va. Code §62.1-44.15(8a) by the State Water Control Board to the Town of Warsaw, for the purpose of revising certain provisions of that Consent Special Order (hereinafter referred to as the Order) issued by the State Water Control Board to the Town of Warsaw on March 24, 2004.

### **SECTION B: Basis for Amendment**

1. Town of Warsaw owns and operates the Facility in Richmond County, Virginia. The Facility is the subject of VPDES Permit No. VA0026891, which allows Town of Warsaw to discharge treated wastewater into an unnamed tributary of Totuskey Creek in strict compliance with terms, limitations and requirements outlined in the Permit.
2. The Order issued to the Town of Warsaw on March 24, 2004, required the Town to complete construction on the Department approved Facility upgrade to meet copper and zinc limits on or before September 1, 2005.
3. On April 5, 2005, the Department issued an NOV to the Town for zinc violations from December 2004 through February 2005. Warsaw reported additional zinc interim limit violations on DMRs for the March through June 2005 monitoring

periods. The upgrade includes moving the outfall to a different receiving stream resulting in the elimination of a copper and zinc limit from the Permit.

4. Over the past year the Town of Warsaw has had two overflows from the collection system. One occurred in November 2004 when 7,000 gallons was discharged after a gravity sewer became clogged. Another occurred in October 2005 when their sewer main broke. The Town has made progress on its own making collection system repairs to pump stations which have reduced the frequency of their overflows.
5. During the design phase of the upgrade a new VPDES Permit was drafted with a new more stringent ammonia limitation. In order to prevent construction of two back to back upgrades, the Department agreed to allow the Town additional time to revise the upgrade design.

#### **SECTION D: Agreement and Order**

Accordingly, the State Water Control Board, by virtue of the authority granted it in §62.1-44.15(8a), orders the Town of Warsaw and the Town of Warsaw agrees to perform the actions described in Appendix A & B of this Amendment, which supercedes Appendix A & B of the Order. Both the State Water Control Board and the Town of Warsaw understand and agree that this Amendment does not alter, modify, or amend any other provision of the Order and that unmodified provisions of the Order remain in effect by their own terms.

And it is so ORDERED this day of MARCH 16, 2006.

  
David K Paylor, Director  
Department of Environmental Quality

Town of Warsaw voluntarily agrees to the issuance of this Amendment.

By: 

Date: 01/26/06

Commonwealth of Virginia

City/County of RICHMOND

The foregoing document was signed and acknowledged before me this 26<sup>th</sup> day of  
JANUARY, 2006, by PAUL G. YACKEL, who is  
(name)

MAYOR of the Town of Warsaw, on behalf of the Town.  
(title)



Notary Public

My commission expires: 04/30/08

## APPENDIX A

The Town of Warsaw shall:

1. **On or before December 31, 2006**, complete construction on the Department approved Facility upgrade.
2. **On or before February 28, 2007**, obtain a Certificate to Operate the upgraded Facility and comply with final permit effluent limitations for TSS, ammonia, copper and zinc.
3. Operate the Facility in a manner that ensures that it produces the best quality effluent of which it is capable during the upgrade of the Facility.

**Pursuant to this Order** communications regarding this Order, and its requirements shall be addressed as follows:

Frank Lupini  
Department of Environmental Quality  
Piedmont Regional Office  
4949-A Cox Road  
Glen Allen, Virginia 23060

The Town of Warsaw shall confirm, in writing, completion of the Order requirements to the above address **within five (5) days of completion**.

## **APPENDIX B**

### Interim TSS, Ammonia, Copper, and Zinc limitations

During the period beginning with the effective date of this Amendment and lasting until February 28, 2007, discharges shall be limited and monitored by the Town in accordance with VPDES Permit VA0026891, except as specified below:

	Concentration Monthly Average	Quantity Monthly Average
TSS	27 mg/L	31 kg/d
Ammonia	15 mg/L	17 kg/d
Copper	0.02 mg/L	N/A
Zinc	0.065 mg/L	N/A